



## MONTGOMERY COUNTY ETHICS COMMISSION

**Waiver 22-01-001**

**January 13, 2022**

Hans Riemer is an At-Large Member of the Montgomery County Council. County Code 19A-11(a) prohibits a County employee from participating on County matters affecting a company that employs a relative. Mr. Riemer has requested that the Ethics Commission issue a waiver pursuant to its authority in 19A-8(a) of the Code. The Commission grants the waiver.

Washington Gas Light Company (WGL) is a privately owned utility company that provides natural gas services to homes and businesses in the County. Mr. Riemer's sister-in-law began working for WGL in December of 2020. She is the Vice President of Customer Experience and began that job in December of 2020. In her current position, Mr. Riemer's sister-in-law does not represent WGL in any dealings with the County or the Council. She deals directly with WGL customers. Although the County is a WGL customer, the Executive Branch is responsible for billing and service issues with the natural gas service provided by WGL to the County's buildings.

Washington Gas is regulated by the Maryland Public Service Commission, not the Montgomery County Government or the County Council. Matters pertaining to WGL do come up occasionally at the County Council. The Council considers matters such as building codes and appropriations for utility charges on County buildings, which may impact WGL indirectly. The Council also occasionally legislates on County-wide public policy issues that may affect WGL, such as efforts to reduce carbon emissions by focusing on gas-powered appliances or heating systems. Council Bill 44-21, presently under consideration by the Council, would direct County funds to the Montgomery County Green Bank, which would then provide loans from those funds for building owners to install more efficient equipment, thereby having an indirect impact on WGL. Also, most interactions between Councilmembers and WGL are customer service oriented -- helping a constituent who has trouble paying a bill or is waiting for a permit inspection, for example.

County Code § 19A-11(a)(1) and (2) provide that unless permitted by a waiver, a public employee must not participate in any matter that affects, in a manner distinct from its effect on the public generally, any business in which a relative has an economic interest or any matter if the public employee knows or reasonably should know that any party to the matter is any

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**100 MARYLAND AVENUE, ROOM 204, ROCKVILLE, MARYLAND 20850**

**OFFICE: 240.777.6670 FAX: 240.777.6672**

business in which a relative has an economic interest. Code § 19A-8(a) authorizes the Commission to waive this prohibition if it finds that:

- (1) the best interests of the County would be served by granting the waiver;
- (2) the importance to the County of a public employee or class of employees performing official duties outweighs the actual or potential harm of any conflict of interest; and
- (3) granting the waiver will not give a public employee or class of employees an unfair economic advantage over other public employees or members of the public.

Upon a review of the request and the concurrence in and support for the waiver request from the Council Executive Director, the Commission finds that a waiver pursuant to the standard in 19A-8(a) is warranted.

As one of the four at-large members of the Council elected to represent all of the County's more than one million residents, it is in the best interest of the County for the Commission to issue the waiver. The importance for Mr. Riemer to be able to participate in Council proceedings that might indirectly affect WGL outweighs any potential harm, and no unfair advantage will result from the grant of the waiver to any person.

In reaching this decision, the Commission has relied on the facts as presented by Mr. Riemer.

For the Commission:



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Susan Beard